

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

PROMESA Title III

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

Case No. 17-BK-3283-LTS
(Jointly Administered)

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*

Debtors.¹

In re:

Case No. 17-BK-4780-LTS

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

**This Court Filing Relates Only
to Case No. 17-BK-4780-LTS**

as representative of

PUERTO RICO ELECTRIC POWER AUTHORITY,

Debtor.

**JOINDER AND RESPONSE OF U.S. BANK NATIONAL ASSOCIATION AS PREPA
BOND TRUSTEE TO URGENT MOTION OF AD HOC GROUP OF PREPA
BONDHOLDERS PURSUANT TO SECTION 312 OF PROMESA AND SECTION 105
OF THE BANKRUPTCY CODE TO APPOINT A MEDIATOR AND IMPOSE
DEADLINES FOR A PREPA PLAN OF ADJUSTMENT (ECF NO. 2718)**

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the "Commonwealth") (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

U.S. Bank National Association in its capacity as PREPA Bond Trustee respectfully submits this Joinder and Response to the Urgent Motion of the Ad Hoc Group of PREPA Bondholders Pursuant to Section 312 of PROMESA and Section 105 of the Bankruptcy Code to Appoint a Mediator and Impose Deadlines for a PREPA Plan of Adjustment (ECF No. 2718 at 17-BK-4780 and ECF 20174 at 17-BK-3283 the “Motion”),² and respectfully states as follows:

1. U.S. Bank National Association serves as PREPA Bond Trustee under the January 1, 1974 Trust Agreement (in such capacity, the “PREPA Bond Trustee”) pursuant to which PREPA has issued over \$8.26 billion in principal amount of Power Revenue and Power Revenue Refunding Bonds backed by a special revenue pledge and other rights as set forth therein. The PREPA Bond Trustee is not a party to the RSA, but as trustee for all PREPA Bondholders it will be directly impacted by the implementation of the RSA terms into a more detailed and comprehensive Title III plan of debt adjustment.

2. For the reasons set forth in the Motion and subject to the qualification in the following paragraph, the PREPA Bond Trustee supports and joins the requests in the Motion for the appointment of Judge Houser to serve as mediator and the imposition of deadlines for the implementation of the RSA into a consensual PREPA plan of debt adjustment.

3. In light of its unique position as PREPA Bond Trustee on behalf of all PREPA Bondholders with respect to the terms of a plan of debt adjustment implementing the RSA, the PREPA Bond Trustee requests that any order approving the Motion include a provision that it be included as a party in the mediation process to the extent, and in such manner, as Judge Houser determines to be appropriate.

² Capitalized terms used herein but not otherwise defined will have the meaning ascribed to them in the Motion.

4. The PREPA Bond Trustee reserves all rights with respect to the issues raised in the Motion, including the right to be heard at any hearing on the Motion.

RESPECTFULLY SUBMITTED, in San Juan, Puerto Rico, February 25, 2022.

**RIVERA, TULLA AND FERRER,
LLC**

/s Eric A. Tulla

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**ATTORNEYS FOR U.S. BANK NATIONAL
ASSOCIATION, IN ITS CAPACITY AS
PREPA BOND TRUSTEE**

CERTIFICATE

The undersigned hereby certifies that pursuant to special instructions at ECF 20160, signed by Hon. Swain, she filed this document by email to promesa-emfiling@prd.uscourts.gov with copy to all interested parties.

s/Iris J. Cabrera-Gómez